

DEC 27 2001

Petition for Rulemaking

Before the Federal Communications Commission
Washington, D.C. 20544

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the matter of amendments to Part 97 of the Commission's Rules to allow increased frequency privileges for entry-level licensees who have demonstrated proficiency in telegraphy in accordance with international requirements.

1. Background

• **Fundamental Assumptions.** The petition is based on several assumptions: (1) the public interest is served by having a growing number of radio amateur licensees, including amateurs who are proficient in Morse Code; (2) with regard to the latter group, both the Novice and Technician Plus licenses have had value; and (3) the appropriate entry level license for HF operation is the Technician license with 5-wpm certificate. These assumptions lead to the conclusion that the Commission has an interest in: (1) encouraging the retention of current Novice and Technician Plus licensees; and (2) encouraging an increase in the number of new Technician licensees who demonstrate 5-wpm code proficiency.

• **Counter Arguments.** There is an argument that runs counter to these assumptions along the following lines: Given the Commission's Report and Order of December 1999, neither the Novice nor Technician Plus licenses are of much import and might as well be discarded now that it is possible to obtain a General Class license, with broad operating privileges in the HF bands, simply by passing a 5-wpm code test and a second written examination. Thus, the argument goes, there is no point in the Commission's focusing any attention or energy on improving the status of the Novice/Technician Plus/Technician with 5-wpm code proficiency licensees. All anyone who wants broader HF operating privileges need do, the argument goes, is obtain a General Class license.

A reply to this line of argument is as follows. First, the argument is symptomatic of a cavalier attitude. Many radio amateurs seem to exhibit little or no concern about the circumstances in which entry-level licensees find themselves. The average radio amateur has been licensed for years, if not decades, and holds advanced operating privileges. So he/she has no interest in actions designed to enhance HF privileges for Novices, Technician Pluses, etc. Second, each license category should be designed to stand on its own merits, that is, to provide significant value to its holders regardless of what additional privileges may be available via upgrades. If it fails that test, it should be eliminated. Third, the continued existence of the Novice, Technician Plus and Technician with 5-wpm code proficiency licenses (even though no new Novice licenses are being issued) testifies to the fact that the Commission seems to see merit in retaining these categories. Otherwise, the Commission could just as easily have ruled in 1999 that the entry level amateur license for HF operations is the General

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Class license and eliminated the other licenses altogether. This is, after all, the *status quo ante* 1950 or so. (The petitioner's call sign, W3ULS, dates from that period.) Presumably, the Commission feels that continuing the Novice and Technician Plus categories while continuing to issue Technician privileges with 5-wpm certificates will be helpful in increasing the number of radio amateurs operating in the HF bands.

• **Starting Point.** The proposal outlined below takes as a starting point that:

(1) a basic license allowing significant HF operating privileges on phone and CW is a good way of encouraging new entrants into the radio amateur service;

(2) the basic license should provide enough value to prospective hams that it allows for a positive operating experience, without the need to obtain significant value via upgrading;

(3) the HF operating privileges authorized today for a Novice or Technician Plus license fall far short of providing adequate value; and

(4) it is a worthwhile use of Commission resources to see to it that the value of the basic license is enhanced.

It should be noted in this connection that there has been a great deal of discussion in the amateur fraternity about the "graying" of the radio amateur cohort. Anecdotal information suggests that the average age of radio amateurs is rising as fewer new licensees come into the service. In addition, a host of Technician licenses were issued ten years ago as the code requirement for Technicians was dropped. It remains to be seen how many of those licensees have had positive experiences in the amateur radio service and so will seek renewal or upgrades of their licenses in the next year or two. In light of these factors, it is the petitioner's contention that adoption of his proposal not only will encourage Novice, and Technician Plus hams to retain their licenses but also will provide an incentive for potential new entrants to obtain the Technician license with 5-wpm certificate. These considerations argue against delay in acting on the petition.

2. Petitioner's Experience

As W3ULS, the petitioner has been operating with Novice privileges in the Novice sub-bands of the amateur radio HF frequencies since May 1999. Prior to approximately 1955, he operated as a General Class licensee with the W3ULS call sign. Upon re-testing in April 1999, the petitioner sought and was awarded a Novice license with the call sign KG4DBD. This enabled him to return to the hobby after a lapse of 45 years. As soon as KG4DBD was issued, petitioner applied to the Commission, under the

vanity call sign program, to obtain his previous call sign, and was fortunate to be able to do so.

Now that the petitioner has been operating as a Novice for nearly 24 months, he finds the license to be of questionable value. Here are his findings².

10 Meter Phone — This lone fillip of phone privileges has been an unalloyed boon. When the solar cycle ebbs, QSO's likely will become much scarcer.

10 Meter CW — Not very useful. A look at the "Considerate Operator's Frequency Guide (COFG)," developed, maintained, and published by the trade association, shows that virtually all of the 10-meter Novice CW sub-band has been set aside for some use or other. Moreover, the QRP CW calling frequency is not in the sub-band. (There was one exception. During the December 2000 10-meter contest, the rules specified a bonus for contacts on CW with Novices, and this resulted in a number of satisfying contacts.)

15 Meters — Here again, the QRP CW calling frequency recommended by the COFG falls outside the Novice sub-band. Thankfully, however, and in contrast to 10 meters, the COFG does not call for competing uses in the Novice sub-band, and it is possible to make good contacts—when the band is open. During periods of lessened solar activity, 15 meters apparently suffers from the same shortcomings as 10 meters and thus will not be a dependable longer-distance band.

40 Meters — Being limited to operating in the Novice sub-band of 40 meters is the radio amateur's equivalent of an assignment in hell. In this 50 kHz segment, the first 5 kHz are set aside by the COFG for "automatically controlled data stations." More importantly, there are a host of strong foreign AM broadcasters. The net result is that 40 meters is mostly useful for Novices as a short-haul daytime band. After about 2100 UTC, when the band begins to open up on the east coast for longer-distance QSO's, operating in the Novice sub-band at best is a challenge and at worst is impossible. The COFG designates a Novice QRP calling frequency at 7.110 MHz, but that is smack dab in the middle of the foreign broadcast QRM.

80 Meters — The Novice sub-band on 80 meters is quite workable—in the winter months. Again the COFG has a QRP Novice CW calling frequency designated. However, it is hard to understand why, given the 250 kHz spread where only CW/RTTY/Data is permitted, the Novice sub-band should be so narrow, particularly because: (1) foreign amateurs can be

² For purposes of this and the following section, all references to "Novice" privileges should be understood to include "Technician Plus" licensees as well as Technician licensees who have passed the 5-wpm code requirement.

heard on phone in the sub-band in the evening and (2) there is an orphan 25 kHz segment above the Novice sub-band where no phone is allowed.

This thumbnail review highlights several facts. First, for Novices, there are no reliable longer-distance frequencies available at night (unless one would suggest 80 meters in the winter and very late). Second, when 10 and 15 meters, which can be very useful now for longer-distance QSO's during daylight, close down as solar activity wanes, the picture will be even bleaker. As a result, this petitioner regards his obtaining a Novice license with some degree of consternation. Compared to the privileges accorded in 1951 to entry-level licensees, the privileges authorized today for the same class of amateurs are inferior by several orders of magnitude. It is hard to comprehend the thinking behind the current sparse privileges.

3. Proposal.

Drawing on the Speroni Petition, and modifying it somewhat, the Commission is urged to provide broader HF CW and phone operating privileges for the Novice category as follows (ITU Region 2):³

<u>Band</u>	<u>MHz</u>
80 Meters (CW)	3.650-3.750
40 Meters (CW)	7.050-7.150
30 Meters (CW)	10.110-10.130
17 Meters (CW)	18.080-18.168
17 Meters (Phone)	18.100-18.168
15 Meters (CW)	21.050-21.200
12 Meters (CW)	24.900-24.930
12 Meters (Phone)	24.930-24.990
10 Meters (CW)	28.060-28.500
10 Meters (RTTY, Data)	No change

³ Assumes that the requirement that radio amateurs of any license category must operate with no more than 200 watts PEP in the Novice segments is eliminated. Power limits for Novices, etc. would remain as is.

10 Meters
(Phone)

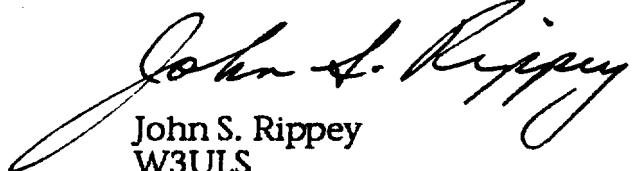
No change

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These changes in the CW and phone privileges will add significant value to the Novice license. The entry-level license will have standing in its own right, be recognized as a valuable privilege, and constitute something that any newcomer to ham radio would be proud to possess. Upgrading would become an option rather than a necessity. Attractiveness of the amateur radio service to new entrants would be enhanced.

Given the limitation on Novice transmitter power, the expansion of operating privileges should cause little in the way of interference to amateurs with higher class licenses operating on the same HF frequencies. Nor does anyone lose privileges. The simplicity of the proposals, and their modest impact, should engender little opposition or controversy, should be of no concern to the trade association's task force working on the much larger and more controversial project involving "refarming," and therefore pose no obstacle to prompt consideration by the Commission.

Respectfully submitted,


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